

Neighbourhood Planning Guidance Note

December 2014



1 Introduction	2
2 Getting Started	6
3 Sustainability Appraisal and Appropriate Assessment	9
4 Developing a Vision and Objectives	10
5 Developing the Plan	13
6 Independent Examination	17
7 Referendum	19
8 Adoption	19
9 Implementing and Monitoring the Plan	19
10 Support	20

1 Introduction

Background

- 1.1 Neighbourhood planning was introduced by the Government as part of their broader package of decentralisation measures, announced through the Localism Act 2011.
- 1.2 In December 2011 the District Council agreed an Interim Neighbourhood Planning Guidance Note which was circulated to all town and parish councils. The Interim Guidance Note was based on the Council's understanding of the processes involved in Neighbourhood Planning at the time.
- 1.3 On the 6 April 2012 the Town and Country Planning England Neighbourhood Planning (General) Regulations 2012 came into force.
- 1.4 In July 2014 Members considered a report on neighbourhood planning which set out the specific roles and responsibilities of the Council in accordance with the 2012 Regulations. The report also outlined the growing interest in neighbourhood planning across the district.
- 1.5 Given this growing interest the previously agreed Interim Neighbourhood Guidance Note has been updated to reflect the requirements of the 2012 Regulations. This Guidance Note aims to provide up-to-date support and assistance to those communities interested in doing a Neighbourhood Plan.

What is Neighbourhood Planning?

- 1.6 Neighbourhood Planning gives communities the right to shape development through the production of Neighbourhood Development Plans, Neighbourhood Development Orders and Community Right to Build Orders.
 - 1.7 **Neighbourhood Development Plans** can set out a vision for an area and planning policies for the use and development of land. The advice set out in this Guidance Note relates specifically to the production of Neighbourhood Development Plans.
 - 1.8 **Neighbourhood Development Orders** can grant planning permission for specified developments in a neighbourhood area. Once established there would be no need for anyone to apply to the Council for planning permission if it is the type of development covered by the order. This should make it easier and quicker for such development to go ahead in the future.
 - 1.9 A **Community Right to Build Order** is a particular type of Neighbourhood Development Order which provides an enabling right supporting local people to undertake development so that communities are collectively owning, developing and/or managing their own land and developments. As an alternative to the traditional application for planning permission, it gives communities the power to decide for themselves what happens in their neighbourhood.
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1.10 Each of these routes enables a community to set out guidance and policies to influence development within their communities. Issues such as development, design, transport, local economy, community facilities, within the community can be covered.

1.11 It is expected however that in most cases Neighbourhood Development Plans will be produced. This Guidance Note provides up-to-date support and assistance to those communities interested in doing a Neighbourhood (Development) Plan.

What are the benefits of developing a Neighbourhood Plan?

1.12 Developing a Neighbourhood Plan can help communities to play a greater role in shaping the future of their area.

1.13 It will bring together residents, businesses, local groups, landowners and developers to share ideas and build consensus about what needs to be done in the area.

1.14 It can also help create lasting partnerships both within and outside the community, for example with public service providers or local businesses.

1.15 Neighbourhood planning also offers communities an opportunity to include their own local planning priorities within the wider planning system.

Who should be involved?

1.16 In East Herts it is anticipated that the majority of Neighbourhood Plans will be initiated by town/parish councils. The Government has also stated that it will enable businesses to bring forward Neighbourhood Plans.

1.17 Town/parish councils should not, however, develop the Neighbourhood Plan in isolation from the rest of the community.

1.18 The involvement, throughout the process, of a broad range of local stakeholders will help strengthen community support for the Plan (very important at the referendum stage – see Section 7) and make its implementation easier.

1.19 The following is a list of stakeholders that the town/parish council may wish to consider involving in the process:

- Residents
- Elected representatives
- Community groups
- Businesses
- Landowners
- Developers

- 1.20** It will also be necessary to involve a range of statutory consultees including Officers from East Herts Council, and other public sector service providers such as Hertfordshire County Council as the highway authority, education authority etc. This might be to provide advice, guidance or information, or to comment on draft documents. The full list of consultees can be found in the [Neighbourhood Planning \(General\) Regulations 2012](#), Paragraph 1 of Schedule 1.

How do you develop a Neighbourhood Plan?

- 1.21** There is no set process for developing a Neighbourhood Plan although advice and guidance on on-going neighbourhood plans can be found online.
- 1.22** There are certain elements of the process that will be statutory.
- 1.23** Figure 1 summarises the steps that a 'qualifying body' (explained below at paragraph 2.6 onwards) 'could' go through to develop a Neighbourhood Plan for their community.

Figure 1: Typical process for producing a Neighbourhood Plan

Getting Started	<p>Get the community on board</p> <p>Establish a steering group</p> <p>Define the ‘neighbourhood area’ and apply for area designation to East Herts Council</p> <p>Produce a programme for developing the plan</p> <p>Develop a communications strategy</p>	
Developing a Vision and Objectives	<p>Gather together relevant information</p> <p>Identify the area’s strengths and weaknesses</p> <p>Draft the vision and objectives</p> <p>Check for conformity with the strategic policies in the development plan</p> <p>Check draft vision and objectives with the community</p>	<p>Strategic Environmental Assessment and</p> <p>Appropriate Assessment, if required</p>
Developing the Plan	<p>Develop policies</p> <p>Develop an implementation plan</p> <p>Finalise draft of the Neighbourhood Plan</p> <p>Check for conformity with the strategic policies in the development plan</p> <p>Publicise the plan through a 6 week consultation prior to submission to East Herts Council (Reg. 14)</p> <p>Make any necessary amendments from any received feedback</p>	
Independent Examination	<p>Appointment of independent examiner</p> <p>Examiner’s report published</p> <p>East Herts Council decides on whether the Plan goes to referendum bearing in mind the Examiner’s report</p>	
Referendum	<p>East Herts Council co-ordinates a local referendum</p>	

Adoption	If the referendum indicates community support, then the Neighbourhood Plan will be adopted by East Herts Council
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Table 1.1

2 Getting Started

- 2.1 A Neighbourhood Plan should be community led, with the town/parish council in the driving seat. The plan depends on strong local leadership and participation to be successful.
- 2.2 Before work on developing the plan can commence, it will be necessary to do some initial preparation.

Getting the community on board

- 2.3 If the community are not supportive of the idea of a Neighbourhood Plan, right from the start, then it will be extremely difficult to produce a document that properly reflects their priorities and aspirations, and ultimately gets their support at a referendum (see Section 7).
- 2.4 The wider community must therefore be informed of the town/parish council’s intentions and be given the chance to get involved from the beginning.
 - This could be achieved by holding a public meeting to explain the intentions of developing a Neighbourhood Plan and to recruit community volunteers to join a steering group (see below).
 - The town/parish council could also write to local groups and businesses to notify them of their intentions and to identify the level of interest these groups may have in taking part in the Neighbourhood Plan (or maybe sponsoring it).
- 2.5 The key to keeping the community on board is good publicity and communications at the beginning and throughout the process.

Establishing a Steering Group

- 2.6 In East Herts, town/parish councils are recognised as qualifying bodies able to produce a Neighbourhood Plan.
- 2.7 Where a town/parish council decides to start work on a Neighbourhood Plan, they will need to set up a steering group to work with them or alongside them. Where there is a steering group, the town or parish council will be the body responsible for submitting all information to the District Council and at examination.

2.8 Whilst the steering group should include representation from the town/parish council, it is important that wider representation is also sought from the community. Representation could be sought from:

- Residents
- Community groups
- Businesses
- Landowners

2.9 It will be important for the town/parish council to consider the full range of skills, knowledge and experience it requires to ensure that the team is effective. If the group is too large, it is less likely to be as effective.

2.10 How the group is selected is also likely to influence the support that the neighbourhood planning process receives from the community. A selection process that is fair, open and inclusive will ensure a great level of community support.

2.11 If the town/parish council is holding a public meeting to explain the intentions of developing a Neighbourhood Plan then this could be an ideal opportunity to recruit members to the steering group.

Defining the Neighbourhood Area

2.12 The neighbourhood area is the area to which the proposed Neighbourhood Plan will relate. The expectation in East Herts is that neighbourhood areas will follow parish boundaries. However, a neighbourhood area can cover more than one parish if appropriate.

2.13 If the proposed neighbourhood area covers more than one parish, then consent must be sought from each of the affected town/parish councils. This will also have implications for representation on the steering group and the scale of community engagement that the process will require.

2.14 A proposal for designating a neighbourhood area must be submitted by the relevant town/parish council to East Herts Council for approval in the early stages of developing the Neighbourhood Plan. When applying for approval, as outlined in the Neighbourhood Planning (General) Regulations 2012, it must include:

- a map outlining the defined area which the Plan refers to;
- a statement explaining why this area is considered appropriate; and
- a statement that the organisation or body making the area application is a relevant body for the purposes of section 61G of the 1990 Act.

2.15 East Herts Council is responsible for advertising the designation through a 6 week public consultation. Any comments received will be taken into account when deciding whether to approve or decline the neighbourhood area.

- 2.16** It is the Council's role to keep an overview of all the different requests to undertake a Neighbourhood Plan in the district. The Council will check that the suggested boundaries for different neighbourhoods make sense and fit together. The Council may say 'no' if, for example, two proposed neighbourhood areas overlap.

Produce a programme for developing the plan

- 2.17** Before starting to work on the main activity of developing the Neighbourhood Plan, it is recommended that the group produces a programme of what it thinks will need to be done throughout the process.

- 2.18** In particular it is worth thinking about:

- What needs to be done at each stage – publicity, meetings, surveys, events?
- What resources are needed to carry out these activities – people, funding, materials?
- How much time will be needed to achieve each stage of the programme?

- 2.19** The programme will help the group to focus and monitor its activity and to think in particular about what funding may be required to develop the plan.

- 2.20** From recent experience across the country, the process of developing a Neighbourhood Plan takes between 18 – 24 months.

Develop a communications strategy

- 2.21** In any community led planning exercise, communication and publicity is vital, from an early stage and throughout the process. People are more likely to participate if they are kept informed.

- 2.22** In the case of developing a Neighbourhood Plan where the support of the community at the referendum stage (see Section 7) is crucial to its adoption, the need to keep information flowing takes on even greater significance.

- 2.23** The steering group may find it helpful to create an informal 'communications strategy', setting out how and when it means to communicate with the wider community and other stakeholders.

- 2.24** Different ways of getting messages out to the community include:

- Putting up posters
- Delivering flyers/leaflets
- Talking to neighbours, groups and businesses
- Using IT – town/parish websites, social media, emails
- Putting notices in town/parish newsletters or magazines
- Contacting the local media

Costs

- 2.25** Plans are likely to vary in costs, depending on the area covered by the plan and the complexity of what is being proposed. Costs will be reduced where local skills and expertise are ‘tapped’ into.
- 2.26** Funding from Central Government to support neighbourhood planning has been deferred to an organisation called ‘Locality’. Locality is currently helping over 700 groups and has awarded over £4m in grants. The grant programme, available since April 2013, has however proven extremely popular and Locality is currently no **longer accepting new expressions of interest for grant. A new support programme is likely to be available from April 2015**, and it may be possible for areas to submit grant applications just prior to that date. Details of the future support for neighbourhood planning are being worked up by the Department of Communities and Local Government and further details should be made available later in the year. The latest information can be found here: <http://locality.org.uk/projects/building-community/>
- 2.27** A Neighbourhood Plan can consist of various components from the list set out below:
- Strategic Environmental Assessment (where required): £10,000 - £30,000*
 - Appropriate Assessment (where required): £15,000*
 - Consultation costs: £5,000 - £10,000*
 - Examination costs: £5,000 - £8,000*
 - Referendum costs: £7,000*
- 2.28** (*costs estimated by the Department for Communities and Local Government in its impact assessment of Neighbourhood Plans and Community Right to Build, January 2011)
- 2.29** East Herts Council is responsible for covering costs associated with the examination and referendum. All other costs will be the responsibility of the promoters of the Neighbourhood Plan.

3 Sustainability Appraisal and Appropriate Assessment

- 3.1** There is no legal requirement to undertake a Sustainability Appraisal on neighbourhood plans. However the Plan must demonstrate how it is contributing to sustainable development, and should include consideration of the possible economic, social and environmental impacts of the emerging plan.
- 3.2** Neighbourhood Plans may be required to undertake a Strategic Environmental Assessment (SEA) where plans or proposals are likely to have a significant environmental impact. The Plan may require an SEA where:
- the plan allocates sites for development;

- the neighbourhood area contains sensitive natural or heritage assets that may be affected by the proposals in the plan;
- the neighbourhood plan may have significant environmental effects that have not already been considered and dealt with through a sustainability appraisal of the [Local Plan](#).

3.3 At the draft stage of the Neighbourhood Plan, its potential environmental impact should be assessed against the criteria set out in Schedule 1 in the [Environmental Assessment of Plans and Programmes Regulations 2004](#). East Herts Council is required to consult the statutory consultation bodies to decide whether the proposals are likely to have significant environmental effects. If an SEA is not deemed to be required, a statement of reasons will be prepared by East Herts Council and can be included in the basic conditions statement for the Examiner.

3.4 Where an SEA is deemed to be required, it is East Herts Council's responsibility to ensure that all relevant regulations have been met in order for the Neighbourhood Plan to progress.

3.5 The SEA will need to be planned for early on in the process so that emerging ideas, content and policies can be assessed in order to inform the final plan. If the assessments are done too late, it will not be able to inform the final plan (increasing the risk of a legal challenge at a later stage). Throughout the plan it will be useful to review any environmental impacts and to find ways to mitigate any negative impacts if there are any, from the proposed plans.

3.6 Appropriate Assessment follows a similar principle but will only be relevant to certain Neighbourhood Plans. Appropriate Assessment specifically considers the wider impacts of particular emerging policies and plans on European sites of ecological importance within the area.

3.7 Further guidance on SEA and Appropriate Assessment is available from the Planning Policy Team at East Herts Council.

4 Developing a Vision and Objectives

4.1 Developing a vision and objectives with the community will be an important first stage in producing the Neighbourhood Plan.

4.2 The vision will be an overarching statement describing what the community will be like in the future.

4.3 The objectives will set out what the community wants to achieve in order to help realise the vision. Detailed policies and actions can then follow on from these objectives.

Collecting relevant information

- 4.4** In order to help produce the vision and objectives for the area, it will be necessary for the steering group to get a clear picture of the community's characteristics and understand whether there are any current or emerging proposals that will affect the area.
- 4.5** Community profiling will involve gathering statistical data to help build up a social profile of the community.
- 4.6** It may also be useful to do a stock take of all the area's physical assets and take note of their condition. This might include community centres, village halls, playing fields, sports facilities, footpaths etc.
- 4.7** This could be carried out by the steering group, together with other volunteers, for example by organising a walk. Taking photos of these assets and marking them on the map could help to develop this 'neighbourhood inventory' which could come in useful at later stages in the process.

Reviewing existing plans and strategies

- 4.8** It will also be important to gather information from any existing plans, strategies or studies that have a bearing on the community. These could include:
- East Herts planning documents, including the East Herts Local Plan 2007 and emerging District Plan.
 - Other East Herts strategies and studies, including the East Herts Sustainable Community Strategy 'Everyone Matters'.
 - Previous community-led plans developed in the area, e.g. Town and Parish Plans.
 - Other strategies and studies, including those produced by Hertfordshire County Council.
- 4.9** It is important to try and understand what implications these plans, strategies and studies have for the community. It will be useful for the group to familiarise themselves with the policies within the draft District Plan so as to avoid any duplication when developing their policies. This will ensure the policies are place specific and are tailored to the needs of the area.
- 4.10** The draft District Plan contains policies on Neighbourhood Planning: Policy 'DPS8 Neighbourhood Planning' and Policy 'VILL4 Neighbourhood Plans'. It would be helpful for the steering group to familiarise themselves with the requirements of these policies.
- 4.11** Whilst East Herts is updating the District Plan, it is advised that the emerging Neighbourhood Plans takes into account and works alongside the Planning Policy Team to find pragmatic ways of dealing with particular issues. Further information on the draft District Plan can be found here: <http://www.eastherts.gov.uk/index.jsp?articleid=15325>.

Discussions with stakeholders

4.12 It will also be important for the steering group to establish contacts and have initial discussions with a range of stakeholders, to understand whether there are any other aspirations for the area that have not yet been developed into a plan or strategy.

4.13 The group may wish to have discussions with the following:

- Local community groups
- Local businesses
- Local landowners and/or their representatives
- Officers at East Herts Council
- Officers at Hertfordshire County Council
- Representatives from other organisations, e.g. Environment Agency, English Heritage, Natural England

Identify the area's strengths and weaknesses

4.14 Another important factor in developing the vision and objectives is to find out what people consider to be the community's current strengths and weaknesses.

4.15 This will involve engaging with residents, community groups and local businesses. This could be done using the following methods:

- Survey (hard copy or web based)
- Community events (workshops or exhibitions)
- Focus group or discussion at meeting of local group
- Other methods tailored for different sectors of the community

4.16 Possible questions that could be asked by the steering group include:

- What are our strengths as a community?
- What do we do well?
- What can we improve or change in the community?
- What are we missing?
- What do we need to do to make the community a better place to live?
- What resources do we have? (people, services, land)
- What opportunities exist in the area?
- What are the barriers? (environmental, physical, financial)

Draft the vision and objectives

4.17 As the Neighbourhood Plan will ultimately form part of the District Plan for the District (assuming it passes the examination and referendum), it would make sense for the vision to cover the same time period as that of the emerging District Plan, which runs up until 2031.

4.18 The steering group could draft a series of vision statements, setting what it will be like to live and work in the area in 2031, or there could be one vision statement. However it is important that the vision is realistic and achievable.

4.19 A typical Neighbourhood Plan vision statement might include topics such as:

- What the area will look like
- What facilities there will be (e.g. parks, shops, schools)
- What the social and economic outlook for the area will be

4.20 The objectives will be more specific and will set out how the vision will be achieved. For each element of the vision, there may be one or a number of objectives, depending on the different priorities of the community.

4.21 The steering group may find that some of the feedback it receives from the community doesn't really relate to Neighbourhood Planning, e.g. concerns over litter.

4.22 Whilst this may not be a subject for the Neighbourhood Plan, it will still be an important issue for the community, and will therefore need to be dealt with via an alternative route. The town or parish council may wish to develop a separate action plan to deal with these wider issues.

Check for conformity with strategic policies in the development plan

4.23 Once the steering group has drafted a vision and objectives, it will be important to check that they don't stray too far from or offer a contrary position to the development plan for the area.

Check the draft vision and objectives with the community

4.24 It is essential to check that the community supports and has an input in at each stage of the Neighbourhood Plan. There are a number of ways in which this endorsement can be sought, including:

- Deliver copies to all households and ask for feedback
- Meet with community groups and ask for feedback
- Hold a public meeting or drop-in event
- Publish information in the parish newsletter/magazine and ask for feedback

4.25 Any necessary amendments can be made before moving on to developing the detailed content of the Neighbourhood Plan.

5 Developing the Plan

5.1 Once the vision and objectives have been drafted and agreed, the steering group can start to think about the detailed content of the Neighbourhood Plan.

- 5.2** The detailed content will include policies, a proposals map and possibly an implementation plan for the area.

Policies

- 5.3** The intention of Neighbourhood Plans should be to set out policies on the development and use of land in a neighbourhood area.
- 5.4** In this respect, a Neighbourhood Plan is similar to the 'Local Plan' for the district, but it is written and applied at the parish level.
- 5.5** The draft policies that are included within the Neighbourhood Plan should be based on the information gathered during previous stages of evidence gathering and community and stakeholder engagement. Policies should ultimately seek to achieve the vision and objectives.
- 5.6** For each objective that has been agreed, the steering group should consider what policies could be put in place to try and achieve them.
- 5.7** Policies may take one of more of the following forms:
- Policies may identify or allocate sites for particular types and scales of development (e.g. residential, employment etc)
 - Policies may specify particular requirements relating to each allocation (e.g. landscaping)
 - Policies may identify sites within the neighbourhood area to be protected or enhanced
 - Policies may be more generic and apply to any future development within the neighbourhood area (e.g. local design policies)
- 5.8** The need to ensure that policies are achievable applies particularly to those that relate to the future use of a particular site within the neighbourhood area. The steering group should ensure that site related policies have been drawn up in negotiation with the relevant landowners or site promoters.
- 5.9** When developing the neighbourhood plan policies it will be vital to ensure they do not stray too far from or offer a contrary position to the strategic policies in the development plan for the area. It will be useful to bear this in mind whilst developing them to make sure the policies will not need modification at a later stage.
- 5.10** 'Locality' has recently produced a helpful guide on writing planning policies. The guidance contains real plan examples and worksheets. See more at: <http://mycommunityrights.org.uk/blog/guide-writing-planning-policies-neighbourhood-plans-released/>

Maps and Illustrations

- 5.11** Neighbourhood Plans are encouraged to use images and maps to illustrate policies or supportive text, and to provide context. For example, a policy on design may be enhanced by images of examples of what the Neighbourhood Plan considers to be of a good design.
- 5.12** For site allocations and site related policies, the Neighbourhood Plan will need to include a map showing proposed site locations and boundaries.
- 5.13** The steering group may find it useful to produce these maps as it starts to draft the Neighbourhood Plan policies. Showing proposed locations on maps will help in any communication with the wider community and can assist in getting their views on particular sites.
- 5.14** Town and parish councils may already have Ordnance Survey licenses so will be able to produce maps of their area (assuming they have access to GIS). For those town and parish councils that don't currently have an Ordnance Survey license, then they can sign up to a Public Sector Mapping Agreement from Ordnance Survey, which will allow them to produce maps free of charge. (<http://www.ordnancesurvey.co.uk/oswebsite/public-sector/mapping-agreement/index.html>)

Develop an Implementation Plan

- 5.15** The steering group may wish to draw up an implementation plan, showing what actions are required 'on the ground' in order to achieve the vision and objectives of the Neighbourhood Plan. This does not need to be part of the main Neighbourhood Plan itself, but could form an appendix to the main document, which can continue to evolve as actions progress and new ones are agreed.
- 5.16** When developing the actions, the steering group may wish to consider the following principles:
- Priority: Is the action a high, medium or low priority?
 - Responsibility: Which organisation is the lead for delivering this action
 - Timescale: By what date should the action be carried out?
 - Partners: Does the action require support from partners?
 - Resources: Is funding or any other resource required?
- 5.17** Certain actions may require input and assistance from a variety of stakeholders e.g. East Herts Council, Hertfordshire County Council, landowners, service providers, as well as groups from within the community.

Finalise the draft of the Neighbourhood Plan

- 5.18** Once the policies and the implementation plan have been drafted, then the steering group can start to produce the Neighbourhood Plan.
- 5.19** There is no rule about what a Neighbourhood Plan should look like, as long as it contains clear policy statements with accompanying maps. There are examples [available online](#) which may be useful to view.
- 5.20** Any associated implementation plan could be an appendix to the Neighbourhood Plan.
- 5.21** At this stage, the steering group will also need to screen policies against the Strategic Environment Assessment criteria (and Appropriate Assessment if necessary), explaining why the policies included in the plan are the most appropriate ones.

Check for conformity with strategic policies in the development plan

- 5.22** It is again advisable, at this stage, for the steering group to check their emerging policies and actions to ensure they are in conformity with the strategic policies in the Local Plan and emerging District Plan. Hopefully, if there has been continued liaison with the Planning Policy Team at East Herts Council, then there shouldn't be an issue with lack of conformity.

Public Consultation

- 5.23** Prior to submitting the final version of the Neighbourhood Plan to East Herts Council, the steering group are required to undertake a six week public consultation, referred to as the Regulation 14 consultation within the 2012 Regulations. If an SEA and/or Appropriate Assessment is required then this report should also be made available for comment.
- 5.24** As well as getting the views of residents and local groups, the steering group should consult any of the consultation bodies whose interests it considers may be affected by the draft plan or order proposal as outlined in Paragraph 1 of Schedule 1 in the [The Neighbourhood Planning \(General\) Regulations 2012](#). The parish or town Council must publicise in a manner that will raise attention to the consultation outlining:
- the details of the proposals of the plan;
 - how to make representations; and
 - the date by which those representations must be received.
- 5.25** Once this consultation has been carried out, an analysis of comments should be made and the steering group should consider whether any amendments need to be made to the draft plan before it is submitted to East Herts Council.

It may be useful to log all received comments together with any steering group responses to identify if any changes/amendments are necessary to the draft plan.

6 Independent Examination

Submit Neighbourhood Plan to East Herts Council

- 6.1** Once the steering group has made any necessary amendments to the Neighbourhood Plan, it should submit the Plan to East Herts Council.
- 6.2** When submitting the Plan, the steering group must also prepare and submit to East Herts Council:
 - a map or statement which identifies the area of the Neighbourhood Plan;
 - a consultation statement; and
 - a 'basic conditions' statement.
- 6.3** The Consultation Statement must outline who and how the community was consulted about the proposed Neighbourhood Plan, with a summary of the main issues and concerns and whether the Neighbourhood Plan has addressed any of them.
- 6.4** The Basic Conditions statement must outline how the Plan is in general conformity with the NPPF, the strategic Local Plan policies and how the making of the Plan is in conformity with EU obligations.
- 6.5** If an SEA is not required, the reasons for this may be included in the Basic Conditions statement. If an SEA has been prepared, it must be submitted along with the Neighbourhood Plan.

Publicising Plan Proposals

- 6.6** If the District Council agrees that the Neighbourhood Plan meets the above mentioned requirements, it will publicise the final version of the plan through a 6 week public consultation (referred to as the Regulation 15 consultation within the 2012 Regulations). All Consultation bodies listed in Paragraph 1 of Schedule 1 in the [The Neighbourhood Planning \(General\) Regulations 2012](#) will be consulted.
- 6.7** All comments received during this consultation will be sent to the Examiner, once appointed.

Appointment of Examiner and Examination

- 6.8** East Herts Council will start the process of appointing an examiner once the public consultation has started. East Herts Council in collaboration with the steering group will decide on whom to appoint to undertake an independent examination of the Neighbourhood Plan.

6.9 The main function of the examination will be to check that the Neighbourhood Plan conforms with:

- The strategic policies in the development plan
- The National Planning Policy Framework (NPPF)
- Relevant European Directives
- Neighbouring Neighbourhood Plans

6.10 East Herts Council will organise all material to be sent to the Examiner. It is anticipated that the examiner will consider written representations during the examination period, rather than oral representations. If the examiner does decide that an oral representation is preferable, then a public hearing must be held and organised by East Herts Council.

Examiner's Report

6.11 The result of the examination will be a report that will have one of the following recommendations:

- The draft Neighbourhood Plan should proceed to a referendum;
- The draft Neighbourhood Plan should proceed to a referendum, subject to certain amendments;
- The draft Neighbourhood Plan should be refused.

6.12 The report will be issued to both the town/parish council and East Herts Council.

6.13 Where the examination shows that the Neighbourhood Plan is not compliant with the strategic policies in the development plan, legal requirements or national policy, then East Herts Council will not be obliged to carry out a referendum or adopt the plan.

6.14 Following the examiner's report, it is East Herts Council's responsibility to decide whether the Plan should proceed to Referendum. Following the Examiner's report, East Herts Council are entitled to decide any of the following:

- to decline to consider a plan proposal;
- to refuse a plan proposal;
- what action to take in response to the examiner's recommendations;
- what modifications should be made to the plan;
- whether to extend the area to which the referendum is to take place.

6.15 Once a decision has been made, East Herts Council must publish:

- the decision and reasons for it;
 - details of where and when the decision may be inspected; and
 - the examiner's report.
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- 6.16** If the District Council agrees the Neighbourhood Plan should go to Referendum, the District Council must publish the Plan and identify where it can be inspected and notify anyone who asked to be notified.

7 Referendum

- 7.1** If the District Council recommends that the draft Neighbourhood Plan should proceed to a local referendum, then East Herts Council will arrange and co-ordinate this.
- 7.2** A referendum is required to gauge community support for the Neighbourhood Plan. Where the plan receives the support of more than 50% of voters at the referendum, then the plan will be adopted by East Herts Council and brought into effect.

8 Adoption

- 8.1** East Herts Council will adopt the Neighbourhood Plan as soon as reasonably practicable, bearing in mind the normal democratic process.
- 8.2** Once the Neighbourhood Plan has been adopted, it will become part of the statutory development plan against which relevant planning applications will be determined.

9 Implementing and Monitoring the Plan

- 9.1** It is recommended that the town/parish council continues to monitor the Neighbourhood Plan and associated implementation plan, to check that progress is being made against the community's objectives.
- 9.2** It is anticipated that Neighbourhood Plans will align with the emerging District Plan and that they will cover the period to 2031. This does not mean that the town/parish council cannot refresh its Neighbourhood Plan if the need arises before that time. It should be noted, however, that the process for a refresh will include further consultation, an examination and referendum.

10 Support

10.1 'Locality' offers a wide range of support, including:

- Direct Support packages for groups at the very beginning of the process, those close to pre-submission consultation, and for those preparing to submit their Neighbourhood Plans (<http://mycommunityrights.org.uk/neighbourhood-planning/>).
- The advice service provided by Locality offers free telephone advice on 0300 020 1864, Mon-Fri 9.30am – 12.30pm.
- Planning Aid England offers free, general planning advice by phone and email, and online (<http://www.rtpi.org.uk/planningaid/>).

10.2 The following websites also provide a range of tools and case studies, including examples of innovative ways of raising funding, Shared Learning activities, and online bulletins:

- Neighbourhood Planning Community Knowledge Hub: <http://planning.communityknowledgehub.org.uk/>
- Planning Aid England's Forum for Neighbourhood Planning: <http://www.ourneighbourhoodplanning.org.uk/>
- Planning Guidance from DCLG: <http://planningguidance.planningportal.gov.uk/blog/guidance/neighbourhood-planning/>
- The Prince's Foundation for the Built Environment: <http://www.princes-foundation.org/our-work/supporting-communities-and-neighbourhoods-planning>
- CPRE in partnership with NALC: <http://www.planninghelp.org.uk>, www.cpre.org.uk, www.nalc.gov.uk

If you would like this document in another format please contact Communications at:

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